

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of AMONIE KRISTEN BROWN  
and JASMINE SYMON BROWN, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KRYSTAL LATOYA DAVIS,

Respondent-Appellant.

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UNPUBLISHED

October 15, 2009

No. 290768

Wayne Circuit Court

Family Division

LC No. 01-398887

Before: K. F. Kelly, P.J., and Jansen and Fitzgerald, JJ.

PER CURIAM.

Respondent appeals as of right from the order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm.

Although respondent argues that the trial court clearly erred in finding that the statutory grounds for termination were established by clear and convincing evidence, she fails to address the trial court's determination that termination was appropriate under § 19b(3)(j). Because only one statutory ground for termination is required under MCL 712A.19b(3), *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003); *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000), respondent's failure to address this necessary issue alone precludes appellate relief. *In re JS & SM*, 231 Mich App 92, 98-99; 585 NW2d 326 (1998); see also *Roberts & Son Contracting, Inc v North Oakland Dev Corp*, 163 Mich App 109, 113; 413 NW2d 744 (1987).

Regardless, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re JK, supra* at 209; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence regarding respondent's failure to work on her court-ordered treatment plan, failure to cooperate with the caseworker, and failure to visit the children during the period immediately preceding the filing of the supplemental petition in May 2008 supports the trial court's finding that respondent deserted the children for 91 or more days without seeking custody, thereby supporting termination under § 19b(3)(a)(ii). Further, the trial court was permitted to apprise itself of all relevant circumstances in evaluating the conditions that led to the adjudication for purposes of § 19b(3)(c)(i). *In re Jackson*, 199 Mich App 22, 26; 501 NW2d 182 (1993). Considering that respondent was afforded parenting classes and therapeutic services to address her poor decision-

making skills that led to her failure to protect a child in her home in 2004, and that she did not benefit from the services she received and eventually stopped engaging in therapy and other services that were offered to improve her parenting skills, the trial court did not clearly err in finding that § 19b(3)(c)(i) was sufficiently proven. The evidence that respondent failed to substantially comply with, or benefit from, therapy and other requirements of the court-ordered treatment plan also supports the trial court's findings that §§ 19b(3)(g) and (j) were each proven by clear and convincing evidence. *In re JK*, *supra* at 214; see also MCR 3.976(E)(1); *In re Trejo*, 462 Mich 341, 346 n 3; 612 NW2d 407 (2000); *In re Gazella*, 264 Mich App 668, 676; 692 NW2d 708 (2005).

Finally, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); MCR 3.977(J); *In re JK*, *supra* at 209.

Affirmed.

/s/ Kirsten Frank Kelly  
/s/ Kathleen Jansen  
/s/ E. Thomas Fitzgerald